

## **INITIAL STATEMENT OF REASONS**

Pursuant to Health and Safety Code §13108 and §13143 the State Fire Marshal shall prepare and adopt building standards, not inconsistent with existing laws or ordinances, relating to fire protection in the design and construction of the means of egress and the adequacy of exits from, and the installation and maintenance of fire alarm and fire extinguishment equipment or systems in, any state institution or other state-owned building or in any state-occupied building. The State Fire Marshal shall prepare and adopt regulations other than building standards for the installation and maintenance of equipment and furnishings that present unusual fire hazards in any state institution or other state-owned building or in any state-occupied building.

A function of this authority is to identify nationally recognized references which can be referred to when Title 19 does not specifically cover a fire or life safety issue. The State Fire Marshal has traditionally relied on the National Fire Protection Association handbook and codes as well as the Western Fire Chiefs Fire Code.

### **SPECIFIC PURPOSE AND RATIONALE**

The State Fire Marshal's Office has not exercised its statutory authority to reference the current national standards and model codes. Specifically, Title 19 currently references the 1979 edition of the Uniform Fire Code. From 1979 to 2000 the Uniform Fire Code has had eight revisions. The current 1979 Fire Code reference is inconsistent with existing regulations and has not kept pace with the adoption of local ordinances.

### **NECESSITY**

The State Fire Marshal recognizes that it must fulfill its obligation to keep references current to address new fire and life safety problems posed to local fire officials.

### **TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, OR REPORT**

One justification for keeping the outdated 1979 Fire Code reference is that it references Appendix G, which describes the testing of standpipe systems, allowing for different flow rates depending on the age of the system. There is no similar requirement in subsequent editions of the Fire Code. The State Fire Marshal solved this dilemma by taking the referenced material and adding to T-19 per its statutory authority in the Health & Safety Code §13195.

### **REASONABLE ALTERNATIVES TO THE REGULATION AND THE STATE FIRE MARSHAL'S REASONS FOR REJECTING THOSE ALTERNATIVES**

Staff has thoroughly reviewed this proposed regulatory action, including both the negative and positive impacts it will place upon the fire service. No alternatives considered by the State Fire Marshal would be more effective in carrying out the purpose for which the regulation is proposed, or would be as effective or less burdensome to affected private persons than the proposed regulations.

### **ALTERNATIVES – SMALL BUSINESSES**

The proposed regulations has no substantial affect to small business and the State Fire Marshal has not identified any alternatives that would lessen any adverse impact, if any, on small business.

### **EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS**

There is no negative impact regarding this proposed regulatory action. The California fire service welcomes the change in that it would provide a consistent reference to what is being already adopted at the local level.

### **COORDINATION WITH FEDERAL LAW**

The State Fire Marshal has determined that this proposed regulatory action neither conflicts with, nor duplicates any federal regulation contained in the Code of Federal Regulations.